THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 23423 of 2007

Dated: 06.11.2007

Between:

Juluru Kishore Kumar
& another.

... Petitioners

AND

The Forest Range Officer,
Mylavaram, Krishna District
& another.

... Respondents

Counsel for the petitioners : Sri . Chinnapa Reddy

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 23423 of 2007

ORDER:-

This writ petition is filed for a writ of mandamus to declare the action of the respondents in prohibiting and restraining the petitioners from entering into their patta lands located in RS.No.191/2 of Pondugula Village, Mylavaram Mandal, Krishna District, as illegal, arbitrary and unconstitutional.

In the view I am taking in this writ petition, there is no need to go in detail into the facts of the case. Suffice it to mention that the only grievance of the petitioners, as made out in the affidavit filed in support of the writ petition, is that having issued a notice on 19.07.2007 and received reply on 07.08.2007 to the said notice, the respondents, without disposing of the objections and passing a final order, are unduly seeking to interfere with and dispossess the petitioners from the lands in their occupation.

It is needless to say that the respondents without passing a final order, after considering the objections raised by the petitioners in their reply dated 07.08.2007, cannot take law into their hands and highhandedly dispossess the petitioners from the lands in their occupation.

The writ petition is therefore disposed of with a direction to the respondents not to interfere with the lands of the petitioners, which are in their occupation, till the objections raised in their reply dated 07.08.2007 are considered and disposed of in accordance with law.

As a sequel to disposal of the writ petition, WPMP.No.30514 of 2007 filed by the petitioners for interim relief is disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

Date: 06.11.2007

Note:- Issue CC in 2 days.
B/o.
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